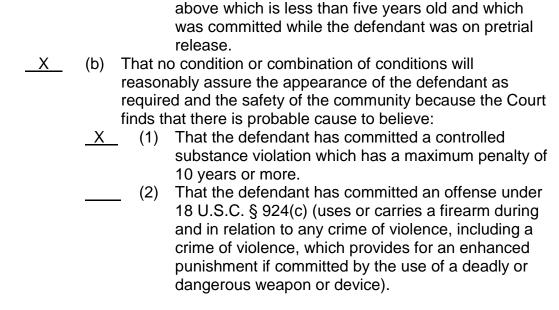
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,		
Plaintiff,	8:16MJ430	
VS.	DETENTION ORDER PENDING TRIAL	
JOSE GERRARDO PACHECO,	DETENTION ORDERT ENDING TRIAL	
Defendant.		
A. Order For Detention After conducting a detention hearing pur Reform Act, the Court orders the above- U.S.C. § 3142(e) and (I).	rsuant to 18 U.S.C. § 3142(f) of the Bail named defendant detained pursuant to 18	
conditions will reasonably assur required. X By clear and convincing evidence conditions will reasonably assur		
The Court's findings are based on the evidence which was presented in court and that which was contained in the Pretrial Services Report, and includes the following: X (1) Nature and circumstances of the offense charged: X (a) The crime: (Count I) Distribution Methamphetamine is a serious crime and carries a maximum penalty of 40 years imprisonment, and (Count II) Conspiracy Methamphetamine is a serious crime and carries a maximum penalty of Life imprisonment. (b) The offense is a crime of violence. X (c) The offense involves a narcotic drug. (d) The offense involves a large amount of controlled substances, to wit:		
X (3) The history and characteris (a) General Factors: The defendan which may aff	against the defendant is high. tics of the defendant including: It appears to have a mental condition ect whether the defendant will appear. It has no family ties in the area.	

		The defendant has no steady employment.
		The defendant has no substantial financial resources.
		The defendant is not a long time resident of the
		community.
		The defendant does not have any significant community
		ties.
		Past conduct of the defendant:
		The defendant has a history relating to drug abuse.
		X The defendant has a history relating to alcohol abuse.X The defendant has a significant prior criminal record.
		X The defendant has a significant prior criminal record.
		The defendant has a prior record of failure to appear at
		court proceedings.
	(b)	
		Probation
		Parole
		Supervised Release
		Release pending trial, sentence, appeal or completion of sentence.
	(c)	
	(-)	X The defendant is an illegal alien and is subject to
		deportation.
		The defendant is a legal alien and will be subject to
		deportation if convicted.
		X The Bureau of Immigration and Customs Enforcement
		(BICE) has placed a detainer with the U.S. Marshal.
		Other:
X	(4) The	nature and seriousness of the danger posed by the defendant's
	release are	as follows: Prior removals in 2000, 2011, 2012.
<u>X</u>		uttable Presumptions
		rmining that the defendant should be detained, the Court also
		on the following rebuttable presumption(s) contained in 18 U.S.C.
		(e) which the Court finds the defendant has not rebutted:
	<u>X</u>	(a) That no condition or combination of conditions will
		reasonably assure the appearance of the defendant as
		required and the safety of any other person and the
		community because the Court finds that the crime involves:
		(1) A crime of violence; or
		(2) An offense for which the maximum penalty is life
		imprisonment or death; or
		X (3) A controlled substance violation which has a
		maximum penalty of 10 years or more; or
		(4) A felony after the defendant had been convicted of
		two or more prior offenses described in (1) through
		(3) above, <u>and</u> the defendant has a prior conviction
		for one of the crimes mentioned in (1) through (3)



D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 23rd day of December, 2016.

BY THE COURT:

s/ F.A. Gossett, III United States Magistrate Judge